



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: **C-1**

May 7, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

ACCEPTANCE OF PUBLIC WORKS CONTRACTS SUPERVISORIAL DISTRICTS 1, 2, 3, AND 4 3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

Ratify changes in work and accept completed contract work under the following construction contracts:

Project ID No. FCC0000642 - Project 469, Woodley Avenue Drain, in the Van Nuys area of the City of Los Angeles (3), Southern California Underground Contractors, Inc., with changes amounting to a credit of \$47,844.70, and a total contract amount at this time of \$65,379.60 (Partial Acceptance).

Project ID No. FMD0003001 - Replacement of Channel Wall Fencing, South Maintenance Area, City of Long Beach (4), Golden State Fence Co., with a final contract amount of \$189,982.

Project ID No. RMD3246012 - Parkway Tree Trimming, Fast Growing Trees, vicinities of Carson, Hawthorne, Rolling Hills, and San Pedro (2 and 4), George Salinas Tree Reservation, with changes in the amount of \$259, and a final contract amount of \$58,571.

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CC 9006 - Sheriff Rd., Eastern Ave. to 3,570 Feet East of Eastern Ave., vicinity of City Terrace (1), All American Asphalt, with changes amounting to a credit of \$10,355.08, and a final contract amount of \$331,762.87.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action is to obtain Board ratification of Director-approved changes in public works contracts and Board acceptance of the work of the contracts in compliance with the provisions of the Public Contract Code. Included in the enclosures are project and contract data, the scope of work of changes to be ratified, and the work of the contracts to be accepted.

The Director of Public Works has been authorized by your Board to order changes in work up to \$10,000 for construction contracts. Changes to accommodate field conditions in order to meet the intent of the plans and specifications are not subject to this monetary limitation. Enclosed for your ratification are changes in work which I ordered for Project ID Nos. FCC0000642 and RMD3246012; and Cash Contract 9006.

The projects have been completed, and it is recommended that your Board accept them on the dates indicated in the enclosures.

Implementation of Strategic Plan Goals

The acceptance of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since acceptance of these completed contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The modifications to the contract amounts range in value from a credit of \$47,844.70 to an increase in the amount of \$259.00, while the total values of the contracts range from \$58,571.00 to \$331,762.87.

Ratification of the changes in work and acceptance of the work of the respective contracts by your Board is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.

Sufficient funds are available in the Board-approved appropriations for each of the respective projects to cover the costs of the changes and the total value of each of the contracts. Detailed cost breakdowns for each of the changes together with contract cost summaries are included in the enclosures.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Each of these contracts for the construction of public works improvements was awarded by your Board to the lowest responsible bidder in accordance with the California Public Contract Code, your Board's directives, and as recommended by the Director of Public Works.

ENVIRONMENTAL DOCUMENTATION

The changes in the work as described above and in the enclosures are within the limits of the Board-approved projects and do not change any conditions which resulted in the original environmental findings.

CONTRACTING PROCESS

Each contract provided that the contractor be compensated for changes in the work as a result of changes to the original plans and specifications or changed conditions encountered during the course of construction. The costs of each of the changes were based on contract unit prices, time and materials methods, or were negotiated under the provisions of the contract specifications. The methods for arriving at the final costs of the changes are included in the enclosures.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Ratification of the requested changes and acceptance of the work of the contracts by your Board will ensure the timely closeout of the respective contracts, releasing Departmental and County assets for other construction-related activities.

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CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

ACCEPTANCE OF CONTRACT (PARTIAL)

May 7, 2002

PROJECT ID. NO. FCC0000642, PROJECT 469, WOODLEY AVENUE DRAIN
(in the Van Nuys area of the City of Los Angeles), Supervisorial District 3

Contractor: Southern California Underground Contractors, Inc., P.O. Box 1747, Brea,
California 92622-1747

Project Description:

Repair of a damaged reinforced concrete box storm drain.

Change in Work:

Delete Portions of Work (\$47,844.70)

Description of Change:

After construction began, it was determined that portions of the work involving spall repairs, splicing of reinforcing steel, soffit repairs, and cleaning and coating of reinforcing steel were not needed. These portions of the work were deleted, resulting in a credit to the contract in the amount shown. The cost for this change was based on contract unit prices.

Four additional working days were required because of additional work that was previously approved by your Board.

Project Completion Date:

The contractor completed the project on November 15, 2001, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract. In addition, the County and the contractor are currently negotiating the resolution of an outstanding claim by the contractor related to the cost of additional work which was added to the contract.

Also, the contractor finished the work 49 days after the contract completion date. The project specifications provide for the assessment of liquidated damages of \$500 per day for each calendar day in excess of the contract completion date; therefore, liquidated damages were assessed in the amount of \$24,500. The contractor disputes this assessment. Additionally, the contractor has failed to comply with the affirmative action reporting requirements of the contract. In the interim, \$8,000 is being withheld from the value of the contract until this matter is resolved.

Rather than delay payment of the retention to the contractor for the completed work, and until we resolve these issues, pursuant to Section 7107 of the California Public Contract Code, we recommend that all retention be released with the exception of the affirmative action noncompliance withholding and liquidated damages deduction as discussed above. When the outstanding issues are resolved, we will provide your Board with our recommendation for final acceptance of the work of this contract.

Amount Due Contractor at this time:

Original contract amount	\$130,120.00
Actual cost of changes in work previously approved by the Board	15,604.30
Change in work authorized by Director of Public Works	(47,844.70)
Deduction for liquidated damages	(24,500.00)
Withholding for affirmative action noncompliance	<u>(8,000.00)</u>
 AMOUNT DUE CONTRACTOR AT THIS TIME	 \$ <u>65,379.60</u>

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ACCEPTANCE OF CONTRACT

May 7, 2002

PROJECT ID NO. FMD0003001, REPLACEMENT OF CHANNEL WALL FENCING,
SOUTH MAINTENANCE AREA (City of Long Beach), Supervisorial District 4

Contractor: Golden State Fence Co., 870 North Main Street, Riverside,
California 92501-1016

Project Description:

Replacement of flood control channel wall fencing.

Project Completion Date:

The contractor completed the project on November 21, 2001, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$175,472.10
Actual cost of changes in work previously approved by the Board	<u>14,509.90</u>
 FINAL CONTRACT AMOUNT	 <u>\$189,982.00</u>

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ACCEPTANCE OF CONTRACT

May 7, 2002

PROJECT ID NO. RMD3246012, PARKWAY TREE TRIMMING, FAST GROWING TREES (in the vicinities of Carson, Hawthorne, Rolling Hills, and San Pedro), Supervisorial Districts 2 and 4

Contractor: George Salinas Tree Preservation, P.O. Box 84, Placentia, California 92871

Project Description:

Trimming of parkway trees.

Changes in Work:

Variations in Bid Quantities	\$259.00
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Description of Changes:

The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The increase in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities. The costs for these changes were based on contract unit prices.

No additional working days were required because of these changes.

Project Completion Date:

The contractor completed the project on February 19, 2002, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$58,312.00
Changes in work authorized by Director of Public Works	<u>259.00</u>
FINAL CONTRACT AMOUNT	<u>\$58,571.00</u>

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ACCEPTANCE OF CONTRACT

May 7, 2002

CASH CONTRACT 9006, SHERIFF ROAD, EASTERN AVENUE TO 3,570 FEET EAST OF EASTERN AVENUE (in the vicinity of City Terrace), Supervisorial District 1

Contractor: All American Asphalt, P.O. Box 2229 Corona, California 91718-2229

Description of Work:

Resurfacing and reconstruction of roadway pavement, modification of traffic signals, and installation of a street lighting system.

Changes in Work:

Variations in Bid Quantities (\$10,355.08)

Description of Changes:

The original contract amount is based upon estimated quantities of the various bid items. The contractor is paid based upon actual quantities used. The decrease in contract price reflects the net adjustment due to variations between estimated bid quantities and actual quantities. The costs for these changes were based on contract unit prices.

No additional working days were required because of these changes.

Project Completion Date:

The contractor completed the project on February 5, 2002, in accordance with the plans and specifications. The delay in forwarding this letter to your Board was due to the length of time required for the contractor to furnish the documentation necessary to close out the contract.

Final Contract Amount:

Original contract amount	\$285,231.30
Actual cost of change in work previously approved by the Board	56,886.65
Changes in work authorized by Director of Public Works	<u>(10,355.08)</u>
 FINAL CONTRACT AMOUNT	 <u><u>\$331,762.87</u></u>

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